

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET

SACRAMENTO, CA 95814



December 6, 1982

To: All County Welfare Directors

Letter No. 82-66

IMPACT OF EDWARDS V. MYERS AND/OR FOUR MONTH CONTINUING TO EMERGENCY ASSISTANCE (EA) AND STATE ONLY AFDC-U CASES

Due to implementation of the Emergency Assistance Program (EAP), changes to the State Only AFDC-U Program, and the forthcoming transfer of Medically Indigent Adults (MIA) to the counties, a number of questions have arisen concerning continuing Medi-Cal eligibility for clients in these programs under the Edwards v. Myers court order and the Four Month Continuing Program. This letter is to provide instructions for the counties when discontinuing these cases.

Emergency Assistance Program (EAP)

Persons who receive aid under EAP only, without subsequent receipt of State Only AFDC-U, are not eligible for continuing Medi-Cal under either the Edwards v. Myers court order or Four Month Continuing because EAP is not an AFDC program.

State Only AFDC-U Program

1. Prior to January 1, 1983, persons discontinued from State Only AFDC-U and who have received three months of AFDC within the last six months, may be eligible under the Edwards v. Myers court order for continuing Medi-Cal pending evaluation for eligibility under other Medi-Cal programs. However as current State Only AFDC-U regulations restrict grant eligibility to a maximum of three months in any twelve consecutive months, counties should have ample time to evaluate these cases prior to the date aid is discontinued. Therefore, very few, if any, Medi-Cal cases should be continued for this program.

✓ Additionally, persons receiving State Only AFDC-U, who are discontinued in the first or second month in which a grant payment was scheduled to be received and discontinuance is/was due to an increase in earnings from employment or hours of employment, may be eligible to receive Four Month Continuing. However, this eligibility for Four Month Continuing exists only if the first of the four months occurs prior to January 1, 1983, and all provisions of Title 22, CAC, Section 50243 have been met.

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Example: A Family Budget Unit (FBU) is scheduled to receive State Only AFDC-U for October, November and December. An increase to the hours employed causes discontinuance from the case grant during November. The beneficiaries are entitled to receive Four Month Continuing for December, January, February and March if they have received AFDC in three of the last six months.

2. Persons who receive the entire three months of State Only AFDC-U are not entitled to Four Month Continuing Medi-Cal because the reason for discontinuance is the end of the period of eligibility rather than an increase to earnings from employment or hours of employment.
3. On January 1, 1983 - Adult members of State Only AFDC-U FBUs will no longer be eligible for cash-based Medi-Cal. Responsibility for such persons will be transferred to county jurisdiction on the same date. Therefore, because these persons are no longer Medi-Cal eligible, whether receiving a cash grant or not, no eligibility exists for continuing Medi-Cal under either Edwards v. Myers or the Four Month Continuing Program.

Discontinuance from AFDC Because Deprivation No Longer Exists

The following instructions are to be implemented after January 1, 1983. When deprivation ends (e.g., an absent parent returns to the home) and the MIA person(s) are not eligible for Medi-Cal as MN, counties are to send adequate and timely notices of Medi-Cal discontinuance. These persons are not entitled to continuing Medi-Cal eligibility and become the responsibility of the counties.

If you have any questions, please contact your Medi-Cal program consultant.

Sincerely,

Original signed by

Carol Goodman, for
Madalyn M. Martinez, Chief
Medi-Cal Eligibility Branch

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants